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Attorney General's office applauds strengthened protections for Delaware's children

Dover, DE – The Delaware Attorney General's office announced that children who witness domestic violence or are abandoned by their parents will now receive greater protections under state law. Legislation that enacted these enhanced statutes was signed into law by Governor Markell today during an afternoon ceremony in Dover.

Patricia Dailey Lewis, Director of the Attorney General's Family Division, applauded Governor Markell for signing Senate Bill 33 and Senate Bill 32 into law, as well as members of the General Assembly for their overwhelming support of the legislation. "These laws protect children who cannot otherwise protect themselves. The new broader definition of a domestic violence witness recognizes that children are victims, whether they see domestic violence or hear it while hiding under the bed or crouching in the closet. Delaware's stronger child abandonment law now holds parents who abandon their children criminally responsible."

Senate Bill 33 expands the definition of a domestic violence witness to include the phrase "by sight or sound" when determining whether a child was a witness to an act of domestic violence. Under this new law, a child that hears but not necessarily sees an act of domestic violence is a legal witness to that act.

Under previous state law, abandoning a child under 16 years of age was a misdemeanor offense and abandoning a child 16 years of age and older was not a criminal offense. Senate Bill 32 strengthens this law by making abandonment of a child 14 years of age and younger a class E felony and abandonment of a child older than 14 years of age a class F felony. Moreover, because child abandonment is now a felony-level offense, a conviction on this charge is now grounds for the termination of parental rights.

Senate Bill 33 and Senate Bill 32 unanimously passed both houses of the General Assembly earlier this year. The Attorney General's office recognized State Senator Patricia Blevins and Representative Melanie George Marshall for their leadership in sponsoring this legislation.

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